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EXAMINER

BROWN, VERNAL U

ART UNIT	PAPER NUMBER
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2635

DATE MAILED: 08/25/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/057,836

Applicant(s)

BAUER ET AL.

Examiner

Vernal U Brown

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

The application of Baurer et al. filed January 24, 2002 for Extended Life

Electromechanical Lock has been examined. Claims 1-40 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 4-6, and 13, 23, 32-33, 29, and 38 are rejected under 35 U.S.C. 102(b) as being anticipated by Levasseur U.S Patent 5892298.

Regarding claims 1 and 13, Levasseur teaches a system for conserving back up power in the absence of an external power source (figure 1), comprising: an internal power interface (12) that receives power from an external power source and supplies power to the system (col. 3 lines 10-15); an electromechanical lock (16) that normally receives power from said internal power interface; at least one power draining device (40) associated with said system that receives power from said internal power interface (figure 1); a back up power supply (14) that supplies power to said electromechanical lock and said at least one power draining device upon power loss at said internal power interface (col. 3 line 65-col. 4 line 4). Levasseur teaches a switch (18) that decouples the electromechanical lock from the back up power supply and the electronic lock is selectively powered by back up power supply (col. 5 lines 7-10). Levasseur further teaches

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voltage is only applied to the lock upon delivery of a lock control signal to the processing means (col. 2 lines 6-12) and the lock control information is received from a variety of key interface (col. 2 lines 37-43) which implies that the lock is selectively powered after detection of an external key.

Regarding claim 2, Levasseur teaches the power draining device comprises at least a microcontroller (28), said microcontroller determining if power has been lost at said internal power interface by responding to the voltage applied to the input (col. 5 lines 11-20).

Regarding claim 3, Levasseur teaches the back up power supply comprises at least one battery (col. 4 lines 20-25).

Regarding claims 4 and 5, Levasseur teaches voltage is only applied to the lock upon delivery of a lock control signal to the processing means (col. 2 lines 6-12) and the lock control information is received from a variety of key interface (col. 2 lines 37-43) which implies that the lock is selectively powered after detection of an external key.

Regarding claim 6, Levasseur teaches internal power interface sends a signal to said switch indicative of the presence of external power such that said switch couples said electromechanical lock and said at least one power draining devices to said internal power interface for powering the same when external power is present (col. 4 lines 46-49)..

Regarding claims 23 and 32-33, Levasseur teaches a method of controlling a vending machine, comprising: powering the vending machine with an external power source (12); decoupling power draining elements within the vending machine from any power source after detection of failure of power in the vending machine (col. 5 lines 25-36). Levasseur further teaches voltage is only applied to the lock upon delivery of a lock control signal to the

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processing means (col. 2 lines 6-12) and the lock control information is received from a variety of key interface (col. 2 lines 37-43) that implies that the lock is selectively powered after detection of an external key.

Regarding claims 29 and 38, Levasseur teaches decoupling power draining elements within the vending machine comprises decoupling a microcontroller (28) from primary or the reserve power source (col. 4 lines 27-49). The microcontroller is therefore decouples from any of the two power sources.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7-9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levasseur U.S. Patent 5892298 in view of Knudsen U.S. Patent 6255942.

Regarding claims 7-8, Levasseur teaches the processing means initiating a communication protocol (col. 3 lines 45-48) but is silent on teaching a remote communications device operatively connected to the microcontroller and communicates with a remote central computer.

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Knudsen in an art related invention in the same field of endeavor of vending machine teaches monitoring and controlling certain aspect of a vending machine and when certain condition is detected the vending machine establishes wireless communication with a central computer so that the problem can be addressed (col. 7 lines 7-15).

It would have been obvious to one of ordinary skill in the art to a remote communications device operatively connected to the microcontroller and communicates with a remote central computer in Levasseur as evidenced by Knudsen because Levasseur suggests the processing means monitoring the power supply and Knudsen teaches monitoring and controlling certain aspect of a vending machine and when certain condition is detected the vending machine establishes communication with a central computer so that the problem can be addressed.

Regarding claim 9, Levasseur teaches microcontroller draws power from the backup supply when power has been lost (col. 3 line 65-col. 4 line 4) but is silent on teaching the microcontroller, after determining that power has been lost at the internal power interface, draws power from the back up power supply until communication has been achieved with the remote central computer. Knudsen in an art related invention in the same field of endeavor of vending machine teaches monitoring and controlling certain aspect of a vending machine and when certain condition is detected the vending machine establishes wireless communication with a central computer so that the problem can be addressed (col. 7 lines 7-15). Knudsen also teaches the use of a backup power supply when the primary power supply is lost (col. 4 line 66-col. 5 line 5).

It would have been obvious to one of ordinary skill in the art for the microcontroller, after determining that power has been lost at the internal power interface, draws power from the back

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up power supply until communication has been achieved with the remote central computer in Levasseur as evidenced by Knudsen because Levasseur suggests a microcontroller draws power from the backup supply when power has been lost and Knudsen teaches monitoring and controlling certain aspect of a vending machine and when certain condition is detected the vending machine establishes wireless communication with a central computer so that the problem can be addressed and further teaches the use of a backup power supply when the primary power supply is lost.

Regarding claim 12, Levasseur teaches power draining devices connected to the power supply (figure 1) but is silent on teaching the power draining device comprises an illuminated display. Knudsen in an art related invention in the same field of endeavor of vending machine teaches a display connected to power supply for displaying messages information signals (col. 3 lines 35-40).

It would have been obvious to one of ordinary skill in the art to have a power draining device comprises an illuminated display in Levasseur as evidenced by Knudsen because Levasseur suggests power draining devices connected to the power supply and Knudsen teaches power draining device comprises an illuminated display connected to the power supply of a vending machine in order to display informational messages to the user of the vending machine.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Levasseur U.S Patent 5892298 in view of Knudsen U.S Patent 6255942 and further in view of Disbrow et al. U.S Patent 5625349.

Regarding claim 10, Levasseur in view of Knudsen teaches powering the microcontroller from the back up battery (col. 4 lines 46-49) but is silent on teaching the microprocessor is

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selectively powered by the back up power supply after detection of the external electronic key. Disbrow et al. in an art related electronic lock and key system teaches a microprocessor that is selectively powered after detection of the external electronic key (col. 5 line 63-col. 6 line 4) in order to reduce power consumption and extend the battery life.

It would have been obvious to one of ordinary skill in the art to for the microprocessor to be selectively powered by the back up power supply after detection of the external electronic key in Levasseur in view of Knudsen as evidenced by Disbrow et al. because Levasseur in view of Knudsen suggests powering the microcontroller from the back up battery and Disbrow et al. teaches a microprocessor that is selectively powered after detection of the external electronic key in order to reduce power consumption and extend the battery life.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Levasseur U.S Patent 5892298 in view of Knudsen U.S Patent 6255942 in view of Disbrow et al. U.S Patent 5625349 and further in view of Wichter et al. U.S Patent 5608643.

Regarding claim 11, Levasseur in view of Disbrow et al. in view of Knudsen teaches a vending machine communicating with a remote location using wireless communication means (*see response to claims 7-8*) but is silent on teaching storing indication that the communication has occurred. Wichter et al. in an art related invention in the same field of endeavor of vending machine teaches a vending machine communicating with a remote location and also teaches storing indication in a communication log that the communication has occurred (col. 4 lines 56-60).

It would have been obvious to one of ordinary skill in the art to store indication that the communication has occurred in Levasseur in view of Knudsen in view of Disbrow et al. as

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evidenced by Wichter et al. because Levasseur in view of Knudsen in view of Disbrow et al. suggests a vending machine communicating with a remote location and Wichter et al. teaches a vending machine communicating with a remote location and also teaches storing indication in a communication log that the communication has occurred in order to ensure that status information is communicated to the remote location.

Claims 14-15, 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Myers et al. U.S Patent 6068305 in view of Levasseur U.S Patent 5892298 and further in view of Wichter et al. U.S Patent 5608643.

Regarding claim 14, Myers et al. teaches a vending machine having an internal compartment that is accessible through an external electronic key (figure 1), the vending machine comprising: a power input that receives power from an external power supply (col. 5 lines 23-27); a back up power supply for supplying power to the vending machine when power is not received at said power input (col. 5 lines 27-32);

an electromechanical lock for preventing access to the internal compartment of the vending machine, said electromechanical lock requiring power to function; a key interface receiving a signal from the external electronic key when the key is proximate said interface, said key interface associated with said electromechanical lock (col. 6 lines 14-26). Myers et al. is however silent on teaching a switch operatively associated with said power input and said back

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up power supply and a customer interface requiring power to function and through which goods are vended, a microcontroller that controls said customer interface and requires power to function. Myers et al. is also silent on teaching the switch decoupling the customer interface, microcontroller, and said electromechanical lock from said back up power after detection that power is not present at said power input, said switch selectively recoupling power to at least said microcontroller and said electromechanical lock when the external electronic key is proximate said key interface. Levasseur in an art related invention in the same field of endeavor of vending machine teaches a switch (18) operatively associated with the power input and said back up power supply and a microcontroller (18) requires power to function. Levasseur further teaches the switch decoupling the electromechanical lock from switch from the back up power after detection that power is not present at said power input and selectively recoupling power to at least said microcontroller and said electromechanical lock when the external electronic key is proximate said key interface by generating the lock control signal (col. 2 lines 6-12) and the lock control information is received from a variety of key interface (col. 2 lines 37-43). The customer interface requiring power to function and through which goods are vended is generally included in a vending machine and is evidenced by Wichter et al. (figure 2).

It would have been obvious to one of ordinary skill in the art to a switch operatively associated with said power input and said back up power supply and a customer interface requiring power to function and through which goods are vended, a microcontroller that controls said customer interface and requires power to function in Myers et al. as evidenced by Levasseur in view of Wichter et al. because Myers et al. teaches a vending machine with its internal compartment accessible through an electronic lock and the vending machine includes a back up

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battery and Levasseur teaches vending machine teaches a switch (18) operatively associated with the power input and the back up power supply so as to enable the switching of the external and the reserve power supply. The customer interface requiring power to function and through which goods are vended is generally included in a vending machine and is evidenced by Wichter et al.

Regarding claim 15, Myers et al. in view of Levasseur teaches decoupling the circuit from the power supply after detecting power is not present at the power input (U.S Patent 5892298, col. 5 lines 7-10) but is silent on teaching a communication unit for communicating with a remote location and the communication unit is decoupled from the back up power after detection that the power is not present at the power input. Wichter et al. in an art related vending machine invention teaches a communication unit for communication status information to a remote location and unit is decoupled from the back up power after detection that the power is not present at the power input (col. 26 lines 40-50) in order to prevent draining the backup supply.

It would have been obvious to one of ordinary skill in the art to have a communication unit for communicating with a remote location and the communication unit is decoupled from the back up power after detection that the power is not present at the power input in Myers et al. in view of Levasseur as evidenced by Wichter et al. because Myers et al. in view of Levasseur suggests monitoring the power supply of the vending machine and Wichter et al. teaches using a communication unit to communicate the vending machine status to a remote location and unit is

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decoupled from the back up power after detection that the power is not present at the power input in order to prevent draining the backup supply.

Regarding claims 20 and 22, Myers et al. teaches the back up power supply comprises at least one battery for operating the lock (col. 5 lines 30-31) and therefore allow access to the internal compartment.

Regarding claim 21, Myers et al. teaches a back up power supply for the vending machine(col. 5 lines 30-31) but is silent on teaching power is drawn from the back up power supply when power reaches the power input but fail to reach the switch. Levasseur in an art related invention in the same field of endeavor of vending machine teaches a switch (18) operatively associated with the power input and said back up power supply and one skilled in the art recognizes that when power fails to reach the switch diode 20 conducts and allow power to be drawn from the reserve power supply.

It would have been obvious to one of ordinary skill in the art for power to be drawn from the back up power supply when power reaches the power input but fail to reach the switch in Myers et al. as evidenced by Levasseur because Myers et al. suggests the back up power supply for the vending machine and Levasseur teaches a switch (18) operatively associated with the power input and said back up power supply and one skilled in the art recognizes that when power fails to reach the switch the diode conducts and allow power to be drawn from the reserve power supply so as to provide power when the main power supply is unavailable.

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Claim 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Myers et al. U.S Patent 6068305 in view of Levasseur U.S Patent 5892298 in view of Wichter et al. U.S Patent 5608643 and further in view of Schelberg, Jr. et al. U.S Patent 5812643.

Regarding claim 16, Myers et al. in view of Levasseur in view of Wichter et al. teaches the processing means (40) connected through a switch to a reserve power supply (14) but is silent on teaching the switch is operative to convey power to the microcontroller when power is present at the power input. Schelberg, Jr. et al. in an art related invention in the same field of endeavor of vending machine teaches a switch (switch is included in the switchable power circuit) that is operative to convey power to the microcontroller when power is present at the power input (col. 4 lines 34-45).

It would have been obvious to one of ordinary skill in the art to switch is operative to convey power to the microcontroller when power is present at the power input in Myers et al. in view of Levasseur in view of Wichter et al. as evidenced by Schelberg, Jr. et al. because Myers et al. in view of Levasseur in view of Wichter et al. suggests the processing means connected through a switch to a reserve power supply and Schelberg, Jr. et al. teaches a switch (switch is included in the switchable power circuit) that is operative to convey power to the microcontroller when power is present at the power input so as to enable the decoupling of the power supply from the microcontroller.

Regarding claim 17, Myers et al. in view of Levasseur in view of Wichter et al. teaches the processing means (40) connected through a switch to a reserve power supply (14) and also a

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communication unit for communicating the status of the vending machine to a remote location (*see response to claim 15*) but is silent on teaching the microcontroller controls the switch to keep power coupled to said microcontroller and the communications unit until the communications unit has sent the information relating to the vending machine to the remote location. Schelberg, Jr. et al. in an art related invention in the same field of endeavor of vending machine teaches teaching the microcontroller controls the switch to keep power coupled to said microcontroller and the communications unit until the communications unit has sent the information relating to the vending machine to the remote location (col. 4 lines 52-66).

It would have been obvious to one of ordinary skill in the art for the microcontroller controls the switch to keep power coupled to said microcontroller and the communications unit until the communications unit has sent the information relating to the vending machine to the remote location in Myers et al. in view of Levasseur in view of Wichter et al. as evidenced by Schelberg, Jr. et al. because Myers et al. in view of Levasseur in view of Wichter et al. suggests the processing means connected through a switch to a reserve power supply and also a communication unit for communicating the status of the vending machine to a remote location and Schelberg, Jr. et al. teaches the microcontroller controls the switch to keep power coupled to said microcontroller and the communications unit until the communications unit has sent the information relating to the vending machine to the remote location so as to enable the power supply only when the vending machine is in use.

Regarding claims 18-19, Myers et al. in view of Levasseur teaches decoupling the circuit from the power supply after detecting power is not present at the power input (U.S Patent 5892298, col. 5 lines 7-10) but is silent on teaching a communication unit for communicating

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with a remote location and the communication unit is decoupled from the back up power after detection that the power is not present at the power input. Wichter et al. in an art related vending machine invention teaches a communication unit for communication status information to a remote location and a memory retaining information relating to whether the communications unit has sent the information relating to the vending machine to the remote location after power loss at said power input (col. 24 lines 43-47) and also teaches a wireless network (col. 4 lines 18-25).

It would have been obvious to one of ordinary skill in the art to have a communication unit for communicating with a remote location and the communication unit is decoupled from the back up power after detection that the power is not present at the power input in Myers et al. in view of Levasseur as evidenced by Wichter et al. because Myers et al. in view of Levasseur suggests monitoring the status of the vending machine and Wichtel et al teaches communicating the monitored status of the vending machine to a remote location monitoring the status of the vending and a memory retaining information relating to whether the communications unit has sent the information relating to the vending machine so as to retry the transmission of a message.

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Levasseur U.S Patent 5892298 in view of Disbrow et al. U.S Patent 5625349.

Regarding claim 24, Levasseur teaches powering the microcontroller from the back up battery (col. 4 lines 46-49) but is silent on teaching the microprocessor is selectively powered by the back up power supply after detection of the external electronic key. Disbrow et al. in an art related electronic lock and key system teaches a microprocessor that is selectively powered after detection of the external electronic key (col. 5 line 63-col. 6 line 4) in order to reduce power consumption and extend the battery life.

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It would have been obvious to one of ordinary skill in the art to for the microprocessor to be selectively powered by the back up power supply after detection of the external electronic key in Levasseur as evidenced by Disbrow et al. because Levasseur suggests powering the microcontroller from the back up battery and Disbrow et al. teaches a microprocessor that is selectively powered after detection of the external electronic key in order to reduce power consumption and extend the battery life.

Claims 25 and 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Levasseur U.S Patent 5892298 in view of Stillwagon U.S Patent 6496101.

Regarding claims 25 and 34, Levasseur teaches the lock control information is received from a variety of key interface (col. 2 lines 37-43) but is silent on teaching detecting proximity of the external electronic key with a key interface positioned on the vending machine. Stillwagon in an art related invention in the same field of endeavor of vending machine teaches detecting proximity of the external electronic key with a key interface positioned on the vending machine using inductive coupling between the key and the latching mechanism (col. 12 lines 1-5).

It would have been obvious to one of ordinary skill in the art to detect the proximity of the external electronic key with a key interface positioned on the vending machine in Levasseur as evidenced by Stillwagon because Levasseur suggests a locking mechanism for securing the vending machine and Stillwagon teaches detecting proximity of the external electronic key with a key interface positioned on the vending machine using inductive coupling between the key and the latching mechanism in order to ensure a reliable locking mechanism.

Claims 26-28 and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over

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Levasseur U.S Patent 5892298 in view of Stillwagon U.S Patent 6496101 and further in view of Knudsen U.S Patent 6255942.

Regarding claims 26-28 and 35-37, Levasseur in view of Stillwagon teaches monitoring the operating status of the vending machine but is silent on teaching a remote communications device communicating with a remote location. Knudsen in an art related invention in the same field of endeavor of vending machine teaches monitoring and controlling certain aspect of a vending machine and when certain condition is detected the vending machine establishes wireless communication with a central computer so that the problem can be addressed (col. 7 lines 7-15).

It would have been obvious to one of ordinary skill in the art to have a remote communications device for communicating with a remote location in Levasseur in view of Stillwagon as evidenced by Knudsen because Levasseur in view of Stillwagon suggests monitoring the operating status of the vending machine and Knudsen teaches monitoring and controlling certain aspect of a vending machine and when certain condition is detected the vending machine establishes communication with a central computer so that the problem can be reported and addressed.

Claims 30 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levasseur U.S Patent 5892298 in view of Stillwagon U.S Patent 6496101 in view of Knudsen U.S Patent 6255942 and further in view of Sedam et al. U.S Patent 4412292.

Regarding claims 30 and 39, Levasseur in view of Stillwagon in view of Knudsen teaches a vending machine communicating with a remote location using wireless communication means (*see response to claims 26-28*) but is silent on teaching vending machine communicates with a remote location using wired communication means. Sedamet al. in an art related invention in the same field of endeavor of vending machine teaches a vending machine communicating with a remote location over a wire base network (col. 4 lines 53-60).

It would have been obvious to one of ordinary skill in the art for the vending machine to communicates with a remote location using wired communication means in Levasseur in view of Stillwagon in view of Knudsen as evidenced by Sedam et al. because Levasseur in view of Stillwagon in view of Knudsen suggests a vending machine communicating its status to remote location and Sedam et al. teaches a vending machine communicating with a remote location over a wire base network. One skilled in the art further recognizes that a wired network is an alternative communication means to a wireless communication means.

Claims 31 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levasseur U.S Patent 5892298 in view of Stillwagon U.S Patent 6496101 in view of Knudsen U.S Patent 6255942 in view of Sedam et al. U.S Patent 4412292 and further in view of Wichter et al. U.S Patent 5608643.

Regarding claims 31 and 40, Levasseur in view of Stillwagon in view of Knudsen teaches a vending machine communicating with a remote location using wireless communication means (*see response to claims 26-28*) but is silent on teaching storing indication that the

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communication has occurred. Wichter et al. in an art related invention in the same field of endeavor of vending machine teaches a vending machine communicating with a remote location and also teaches storing indication in a communication log that the communication has occurred (col. 4 lines 56-60).

It would have been obvious to one of ordinary skill in the art to store indication that the communication has occurred in Levasseur in view of Stillwagon in view of Knudsen as evidenced by Wichter et al. because Levasseur in view of Stillwagon in view of Knudsen suggests a vending machine communicating with a remote location and Wichter et al. teaches a vending machine communicating with a remote location and also teaches storing indication in a communication log that the communication has occurred in order to ensure that status information is communicated to the remote location.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vernal U Brown whose telephone number is 703-305-3864. The examiner can normally be reached on M-Th, 8:30 AM-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 703-305-4704. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Vernal Brown
August 17, 2004

MICHAEL HORABIK
SUPERVISORY PATENT EXAMINER
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